

Appl. No.10/625,815
Amdt. dated July 1, 2005
Reply to Office action of April 5, 2005

REMARKS

35 U.S.C. § 103(a)

Claims 1-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,791,989 to Slinkman in view of U.S. Patent No. 6,582,307 to Webb.

The Examiner correctly points out that Slinkman discloses a blackjack game having a side or second bet and Webb discloses a ball container for determining an award. However, Applicant argues that the combination does not render the claims, as amended, obvious.

As amended, the independent claims each recite, in general, the following elements: "a ball dispenser incorporated on the table," "said ball dispenser electrically linked to a player and/or dealer button for activating the ball container" and "a random ball selected from within the confines of the container." None of these elements is disclosed by the combination offered by the Examiner.

While electronic gaming devices having ball containers are located in casino along with live table games of chance, there is no reference which discloses or suggests incorporating a ball container on a live gaming table. By doing so, players are going to be attracted to the live gaming table in order to participate in the live game of chance. That is, the presence of the ball container is unique and will result in heightened player curiosity.

In addition, no reference discloses or suggests linking the ball container to a button which the dealer and/or player may use to activate the ball container. Consequently, live players may be able to participate in the determination of their own game award. Depending on the jurisdiction, the dealer may be required to activate the ball container.

Importantly, the claims of the instant application recite that the selected one or more random balls are selected from within the confines of the container. Accordingly, players actually observe the award or bonus ball or balls being selected. With such a configuration, players are not skeptical of the randomness of the process. Therefore, players actually see a large bonus ball (e.g., \$500) and know it can be selected just like any other ball within the confines of the container. Contrarily, Webb discloses a ball container retaining balls which are not selected. On the other hand, award balls are

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selected from a tray of balls concealed within the housing of the slot machine. Upon a pre-established slot machine outcome, the ball tray is positioned such that the appropriate award ball may be ejected for view by the player. Players are notoriously cynical of such concealed devices. That is, players wonder how the balls are selected. The instant device overcomes this cynicism by permitting players to actually view the ball or balls being selected.

Therefore, it is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are respectfully requested. Should any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of fees which may be required by this paper to **Deposit Account No. 502466** including any fee for extension of time, or the fee for additional claims which may be required. Please show our docket number with any Deposit Account transaction. **A copy of this letter is enclosed.**

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Date: July 1, 2005

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of fees which may be required by this paper to Deposit Account No. 502466 including any fee for extension of time, or the fee for additional claims which may be required. Please show our docket number with any Deposit Account transaction. A copy of this letter is enclosed.

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